

FILED**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA**U.S. DISTRICT COURT- WND
WHEELING, WV 26003

APR 1 2025

UNITED STATES OF AMERICA,**v.****PHILLIP JOHNSON, aka "PNut," and
MARK CHISHOLM, aka "Infant
Premo,"****Defendants.****Criminal No. 5:25-cr-15****Violations:**

- 21 U.S.C. § 841(a)(1)
- 21 U.S.C. § 841(b)(1)(B)(vi)
- 21 U.S.C. § 841(b)(1)(B)(viii)
- 21 U.S.C. § 841(b)(1)(C)
- 21 U.S.C. § 846

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Conspiracy to Distribute and Possess with the Intent to Distribute
Cocaine, Fentanyl, and Methamphetamine)

During a period commencing on or about May 15, 2022, and ending on or about September 20, 2024, in Ohio County, within the Northern District of West Virginia, and elsewhere, defendants **PHILLIP JOHNSON, aka "PNut," MARK CHISHOLM, aka "Infant Premo,"** and others did unlawfully, knowingly and intentionally combine, conspire, confederate, agree and have a tacit understanding to violate Title 21, United States Code, Section 841(a)(1). It was a purpose and object of the conspiracy to distribute and possess with intent to distribute cocaine, fentanyl, and methamphetamine, Schedule II controlled substances; all in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(C).

COUNT TWO

(Distribution of 40 Grams or More of Fentanyl)

On or about October 8, 2023, in Ohio County, in the Northern District of West Virginia, defendant **PHILLIP JOHNSON, aka “PNut,”** did unlawfully, knowingly, intentionally, and without authority, distribute forty (40) grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in exchange for a sum of United States currency; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(vi).

COUNT THREE

(Distribution of 40 Grams or More of Fentanyl)

On or about October 16, 2023, in Ohio County, in the Northern District of West Virginia, defendant **PHILLIP JOHNSON, aka “PNut,”** did unlawfully, knowingly, intentionally, and without authority, distribute forty (40) grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in exchange for a sum of United States currency; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(vi).

COUNT FOUR

(Distribution of 40 Grams or More of Fentanyl)

On or about November 15, 2023, in Ohio County, in the Northern District of West Virginia, defendant **PHILLIP JOHNSON, aka “PNut,”** did unlawfully, knowingly, intentionally, and without authority, distribute forty (40) grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in exchange for a sum of United States currency; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(vi).

COUNT FIVE

(Distribution of 50 grams or more of Methamphetamine)

On or about November 30, 2023, in Ohio County, in the Northern District of West Virginia, defendant **PHILLIP JOHNSON, aka “PNut,”** did unlawfully, knowingly, intentionally, and without authority, distribute fifty (50) grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in exchange for a sum of United States currency; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(viii).

COUNT SIX

(Distribution of 40 Grams or More of Fentanyl)

On or about December 23, 2023, in Ohio County, in the Northern District of West Virginia, defendant **PHILLIP JOHNSON, aka “PNut,”** did unlawfully, knowingly, intentionally, and without authority, distribute forty (40) grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in exchange for a sum of United States currency; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(vi).

FORFEITURE ALLEGATION*Controlled Substance Act*

Pursuant to Title 21, United States Code, Section 853 and Title 21, United States Code, Sections 841, and 856, the government will seek the forfeiture of property as part of the sentence imposed in this case; that is, the forfeiture of any property used, or intended to be used, to commit or to facilitate the commission of the above referenced offense, and any property constituting, or derived from, proceeds obtained directly or indirectly, as a result of such offense.

A True Bill,

/s/
Grand Jury Foreperson

/s/
RANDOLPH J. BERNARD
Acting United States Attorney

Carly C. Nogay
Assistant United States Attorney